

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VANDYKE JOHNSON,

Plaintiff,

-against-

DIANA ALMA; CHILD PROTECTIVE
SPECIALIST; DAVID A. HANSELL,
COMMISSIONER OF CHILDREN
SERVICES; CITY OF NEW YORK,

Defendants.

19-CV-8093 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

By order dated October 15, 2019, the Court dismissed Plaintiff's complaint as barred by the domestic relations exception to federal jurisdiction and the *Younger* abstention doctrine.

(ECF No. 6.) That order also denied Plaintiff's request for injunctive relief. (*Id.*)

On December 2, 2019, Plaintiff filed a letter (ECF No. 8) informing the Court that his criminal case was dismissed and requesting that the Court reopen this case and allow him to amend his complaint.

Plaintiff's request to have the Court reopen this case and allow him to amend his complaint is **DENIED**. If Plaintiff wishes to pursue a claim for false arrest against proper defendants, he may file a new action in this Court. Plaintiff is advised that any new action he files must be accompanied by either the \$400.00 in filing fees or a completed and signed request to proceed *in forma pauperis* (IFP).

If Plaintiff needs legal advice related to this matter, he may contact the New York Legal Assistance Group's Legal Clinic for Pro Se Litigants in the Southern District of New York, which is a free legal clinic staffed by attorneys and paralegals to assist those who are representing

themselves in civil lawsuits in this Court. A copy of the flyer with details of the clinic is attached to this order.

CONCLUSION

The Clerk of Court is directed to transmit a copy of this order to Plaintiff¹ and note service on the docket.

Plaintiff's request to have the Court reopen this case and allow him to amend his complaint is **DENIED**. Plaintiff may file a new action in this Court in accordance with the standards set forth above.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 11, 2019
New York, New York



COLLEEN McMAHON
Chief United States District Judge

¹ Plaintiff has consented to electronic service.

Free Legal Assistance for Self-Represented Civil Litigants in Federal District Court in Manhattan and White Plains

The NYLAG Legal Clinic for Pro Se Litigants in the Southern District of New York is a free legal clinic staffed by attorneys and paralegals to assist those who are representing themselves or planning to represent themselves in civil lawsuits in the Southern District of New York. The clinic, which is not part of or run by the court, assists litigants with federal civil cases including cases involving civil rights, employment discrimination, labor law, social security benefits, foreclosure and tax. The clinic cannot assist individuals while they are incarcerated, but can provide assistance to litigants once they are released from custody.

To make an appointment for a consultation, call (212) 659-6190 or come by either clinic during office hours. Please note that a government-issued photo ID is required to enter either building.

The clinic offers in-person appointments only. The clinic does not offer assistance over the phone or by email.

**Thurgood Marshall
United States Courthouse**
Room LL22
40 Centre Street
New York, NY 10007
(212) 659 6190

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10 a.m. - 4 p.m.
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**The Hon. Charles L. Brieant Jr.
Federal Building and Courthouse**
300 Quarropas St
White Plains, NY 10601
(212) 659 6190

**Open Wednesday
12 p.m. - 4 p.m.
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